

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

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No. 6:22-cv-00010

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**Andre C. Cormier,**  
*Plaintiff,*

v.

**Fairway Independent Mortgage Corporation et al.,**  
*Defendants.*

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**ORDER**

Plaintiff Andre Cormier initiated this action, proceeding pro se, on January 12, 2022. Doc. 1. The cause of action was referred to United States Magistrate Judge John D. Love, who issued a report and recommendation recommending that this case be dismissed without prejudice for failure to comply with a court order and failure to prosecute. Doc. 4. Specifically, in this case, plaintiff has failed to either pay the requisite filing fee of \$402 or submit an application to proceed *in forma pauperis* to proceed with his claims. No objections to the report and recommendation have been filed, and the timeframe for doing so has passed.

The court therefore reviews the magistrate judge's findings for clear error or abuse of discretion and reviews his legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (holding that, if no objections to a magistrate judge's report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law").

Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. Accordingly, the report and recommendation (Doc. 4) is accepted. Fed. R. Civ. P. 72(b)(3). This cause of action is dismissed without prejudice.

*So ordered by the court on March 30, 2022.*

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER  
United States District Judge